

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
EASTERN DISTRICT OF MICHIGAN-DETROIT**

In Re:

Renee Anderson

Chapter 13  
Case No. 09-76893  
Judge Tucker

Debtor.

\_\_\_\_\_  
Renee Anderson

Plaintiff,

vs.

Adversary Proceeding No. 09-07361

Flagstar Bank, FSB

Defendant.  
\_\_\_\_\_

**CONSENT JUDGMENT**

Upon the Stipulation entered into between Plaintiffs and Defendant, the Court orders the following:

**IT IS ORDERED** that Defendant has a valid Mortgage dated June 28, 2007, in the face amount of \$10,000.00, on the Plaintiffs' real property commonly known as 3232 Birchcreek Court, No 74-D, Lake Orion, MI 48360-1712, which is recorded at Liber 39332 Page 323 with the Oakland County Register of Deeds. The legal description of the property the Second Mortgage encumbers is as follows:

LAND IN THE CITY OF SOUTHFIELD, OAKLAND COUNTY, MICHIGAN,  
DESCRIBED AS FOLLOWS:

UNIT 74-D KEATINGTON NEW TOWN, A CONDOMINIUM ACCORDING TO  
THE MASTER DEED RECORDED IN LINER 5798, PAGES 864 THROUGH 999,  
BOTH INCLUSIVE, OAKLAND COUNTY RECORDS, AND DESIGNATED AS  
OAKLAND COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 52, TOGETHER  
WITH RIGHTS IN GENERAL COMMON ELEMENTS AND LIMITED COMMON

ELEMENTS, AS SET FORTH IN THE ABOVE DESCRIBED MASTER DEED AND ALL AMENDMENTS THERETO; AND AS DESCRIBED IN ACT 59 OF THE PUBLIC ACTS OF 1978, AS AMENDED.

Property Identification Number: 09-29-226-301

Commonly Known as 3232 Birchcreek Court, No 74-D, Lake Orion, MI 48360-1712.

**IT IS FURTHER ORDERED** that the Flagstar Bank, FSB Mortgage in the Chapter 13 Proceeding of the above Plaintiffs shall be abrogated and null and void if the Plaintiffs complete the Chapter 13 Plan and receive an order of discharge.

**IT IS FURTHER ORDERED** Defendant shall have an allowed unsecured claim in the amount listed on the Defendant's Proof of Claim.

**IT IS FURTHER ORDERED** Upon successful completion of the Chapter 13 Plan and receipt of an order of discharge, the Flagstar Bank, FSB Mortgage shall be terminated.

**IT IS FURTHER ORDERED** In the event that the Plaintiffs refinance the loans on the subject property or sell the subject property prior to the completion of the Chapter 13 case and receipt of a Chapter 13 order of discharge, then the Flagstar Bank, FSB Mortgage will be paid in full at closing.

**IT IS FURTHER ORDERED** In the event that the Chapter 13 case is dismissed or converted to a case under Chapter 7 under the Code, this stipulation and its corresponding order shall be null and void without effect and may not be used in any subsequent bankruptcy case of the debtor to compel the holder of the Mortgage to execute a discharge of the Mortgage, or to act as a discharge of the mortgage.

**IT IS FURTHER ORDERED** In the event that the property is destroyed or damaged, that pursuant to the mortgage, Defendant is entitled to its full rights as a loss payee with respect to the

insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.

**IT IS FURTHER ORDERED** that upon the successful completion of the Plaintiffs' Chapter 13 Plan and the entry of the Bankruptcy Court's Order of Discharge the Plaintiffs shall be permitted to record certified copies of the Order along with the Order of Discharge with the Oakland County Register of Deeds, which will constitute and effectuate the discharge of the Flagstar Bank, FSB Mortgage.

**Signed on January 23, 2010**

/s/ Thomas J. Tucker  
**Thomas J. Tucker**  
**United States Bankruptcy Judge**